



Annual Report to the Joint Judiciary Committee

Pursuant to

HB 13-1299 (SMART Act)

HB 14-1032 (Juvenile Defense)

SB19-223 (Competency Bill)

SB18-203 (Municipal Courts)

Lindy Frolich, Director

Stacie Nelson Colling, Youth Defense Coordinator

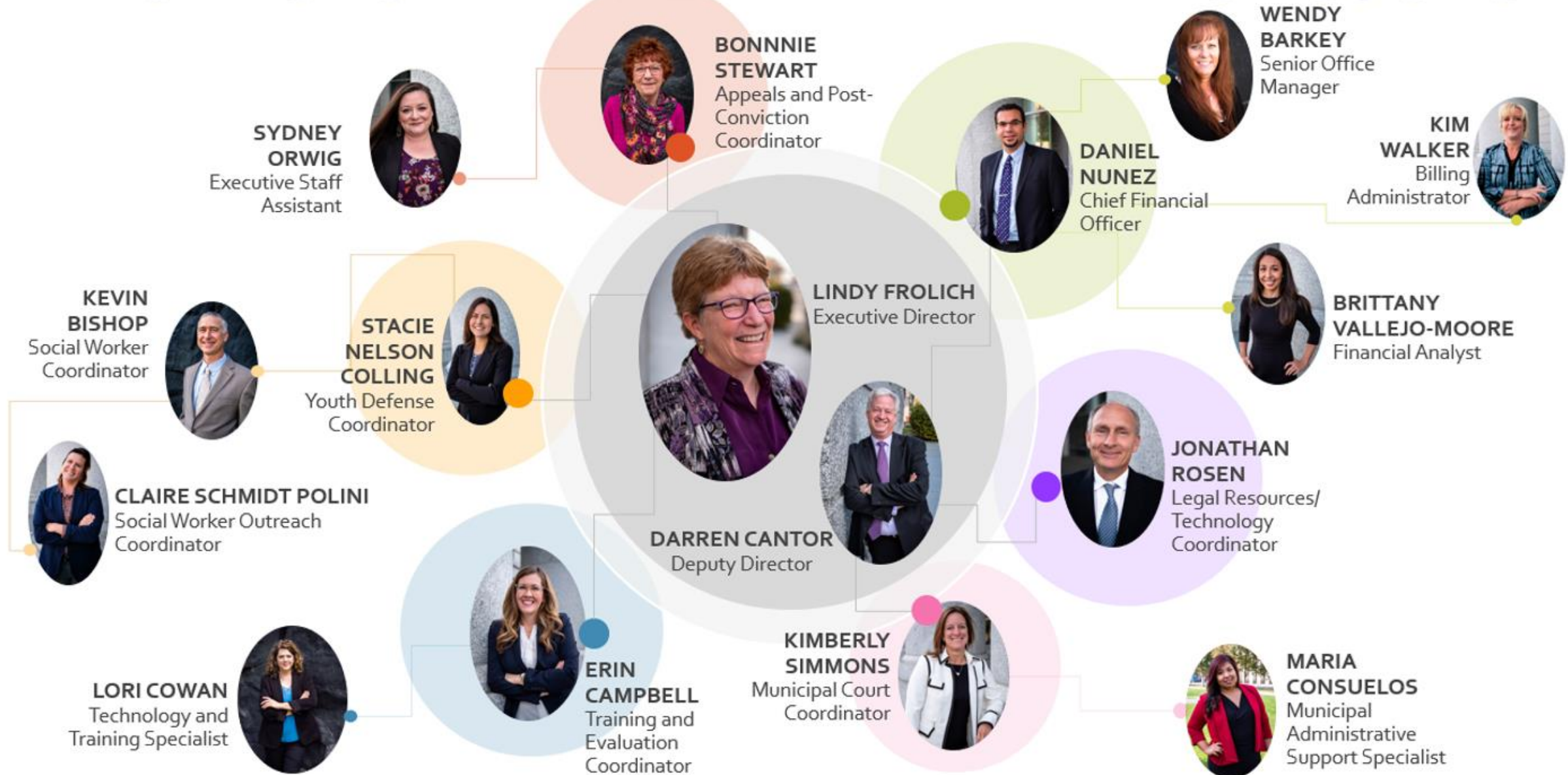
Erin Campbell, Evaluation and Training Coordinator

Kimberly Simmons, Municipal Court Coordinator

January 24th, 2022

- The OADC was established pursuant to §21-2-101, C.R.S. (SB96-205)
- It began operating January 1, 1997. The OADC is responsible for providing legal representation in cases involving conflict-of-interest for the State Public Defender's office
- At that time, it had 2.3 FTE and an annual budget of \$4,065,101

THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL



Mission Statement

The mission of the Office of the Alternate Defense Counsel (OADC), through the practice of holistic public defense, is to help adults and children who the government has charged with criminal and delinquent offenses. The OADC's holistic practice model fosters ethical, informed, and standard-driven best practices in public defense. The OADC allocates resources in a manner intentionally designed to rebalance the disparate power wielded by the government in the criminal legal system. We advocate for every client's inherent worth and dignity by centering the client's experiences and voice to achieve the best legal outcome.

The OADC is dedicated to zealous, client-centered advocacy rooted in social justice, integrity, and humility. We recognize that we are working within a broken and racist criminal legal system. Public defense advocates play an essential role in challenging bias and disparity within the courtroom, within our offices, and within ourselves. There is a disparate presence of violent policing, over-charging, and harsher sentencing outcomes for Colorado's people of color and other vulnerable populations. The OADC is unwavering in its support of decarceration, the decriminalization of youth, and equity within the criminal legal system.

4 arrested on gun charges at Denver hotel, police feared 'Las Vegas-style shooting' during All-Star Game

Liz Roscher

yahoo/sports

July 11, 2021 · 3 min read

Three men and one woman were arrested at the Maven Hotel in Denver on Friday night after a hotel housekeeper tipped off the police to a large stash of guns and ammo in an 8th floor room. The hotel is near Coors Field, where the MLB All-Star Game is being held next week.

[Channel 7 in Denver reported](#) that the tip from the hotel employee, combined with other factors, caused the police fear that there could be a mass shooting event during the festivities next week. [Via thedenverchannel.com:](#)



Sources said police removed 16 long guns, body armor and more than 1,000 rounds of ammunition from the room which featured a balcony overlooking the downtown area. The sources said they feared the number of weapons, ammo, vantage point and large crowds could have resulted in a "Las Vegas style shooting."

21 people indicted in multi-national marijuana and money laundering case

Sixteen of the suspects are in custody; five remain on the run, officials said.

ARAPAHOE COUNTY, Colo — Local and federal agencies announced Thursday afternoon a "major" grand jury indictment with statewide and national implications.

The 45 count indictment charged 21 people. 18th Judicial District Attorney John Kellner said the suspects were involved in organized crime. All of the suspects were charged with breaking the Colorado Organized Crime Control Act (COCCA) and some of the suspects had felony drug charges added, Kellner said.



7 people arrested for kidnapping and attempted murder of a woman

ROCKY FORD — On Friday, the Colorado Bureau of Investigation announced they had arrested seven people in connection with a kidnapping, torture, and attempted murder of a Rocky Ford Woman.

Authorities say the incident took place at an apartment in Rock Ford in August 2017.

They did not release many details about what happened but they say starting in 2019 the Colorado Bureau of Investigation was asked to look into the incident along with the Otero County Sheriff's Office, the Rocky Ford Police Department, and the District Attorney's office.



The Colorado Bureau of Investigation released a list of the suspects they arrested:

- 43 year old Cosme Flores of La Junta
- 35 year old Hipolito Isaac Sanchez of Rocky Ford
- 33 year old Jamie Harmon of Rocky Ford
- 28 year old Jeremy Casias of Rocky Ford
- 33 year old Kendra Thompson of Rocky Ford
- 39 year old Leonard Trujillo of Rocky Ford
- 32 year old Leroy Osborne of Pueblo

All of the suspects are facing First Degree Kidnapping and Conspiracy to Commit First Degree Murder charges.

 By: Caitlin Sullivan

Posted at 11:56 AM, Jul 09, 2021 and last updated 1:23 PM, Jul 09, 2021

"MOTHER GOD" OF LOVE HAS WON

Mummified remains of cult leader found in group's home

By Noelle Phillips
The Denver Post

A woman who led a controversial Colorado religious group is dead and seven of her followers are under investigation after Saguache County sheriff's deputies found the leader's mummified body in a sleeping bag and wrapped in Christmas lights inside a home in Moffat.

Deputies discovered the body on Wednesday inside a home where followers of Love Has Won lived, according to court records. Investi-

gators believe Amy Carlson's followers had driven her body to Colorado from California, according to a Saguache County Sheriff's Office arrest affidavit.

A follower told deputies the body belonged to Lia Carlson, and a Saguache County sheriff's corporal wrote in the affidavit that, "Ms. Carlson is believed to be the leader of 'Love Has Won' and goes by the name 'Mother God.' " It's not known why the follower gave the name "Lia" to deputies.

Saguache County Coroner

Tom Perrin confirmed he had received a body in connection with the investigation of the Love Has Won group but said he had not yet confirmed the identity.

Perrin said the body belonged to a middle-aged woman and it appeared she had been dead for awhile. "Must be a couple of weeks or more," he said.

A follower posted a video message on Love Has Won's Facebook page on Sunday to say that Amy Carlson "has ascended."

Amy Carlson has been

CULT » 5A



Photo Credit: Screenshot from video released by Saguache County Sheriff's Office.

From: ortega, heather <heather.ortega@judicial.state.co.us>

Sent: Tuesday, May 04, 2021 10:34 AM

To: Lindy Frolich <lindy@coloroadc.com>; Darren Cantor <darren@coloroadc.com>

Subject: ADC Request

Good morning,

I believe the public defenders office may have reached out to you already but we are in need of 6 ADC attorneys. We have a case that involves 7 co-defendants and the public defender's office took one however we still have the other 6. We thought some would have bonded by now however none have. They are **all in custody** and are set to be advised tomorrow at 1:30 p.m. Please let me know what we need to do to get this accomplished. The case numbers are

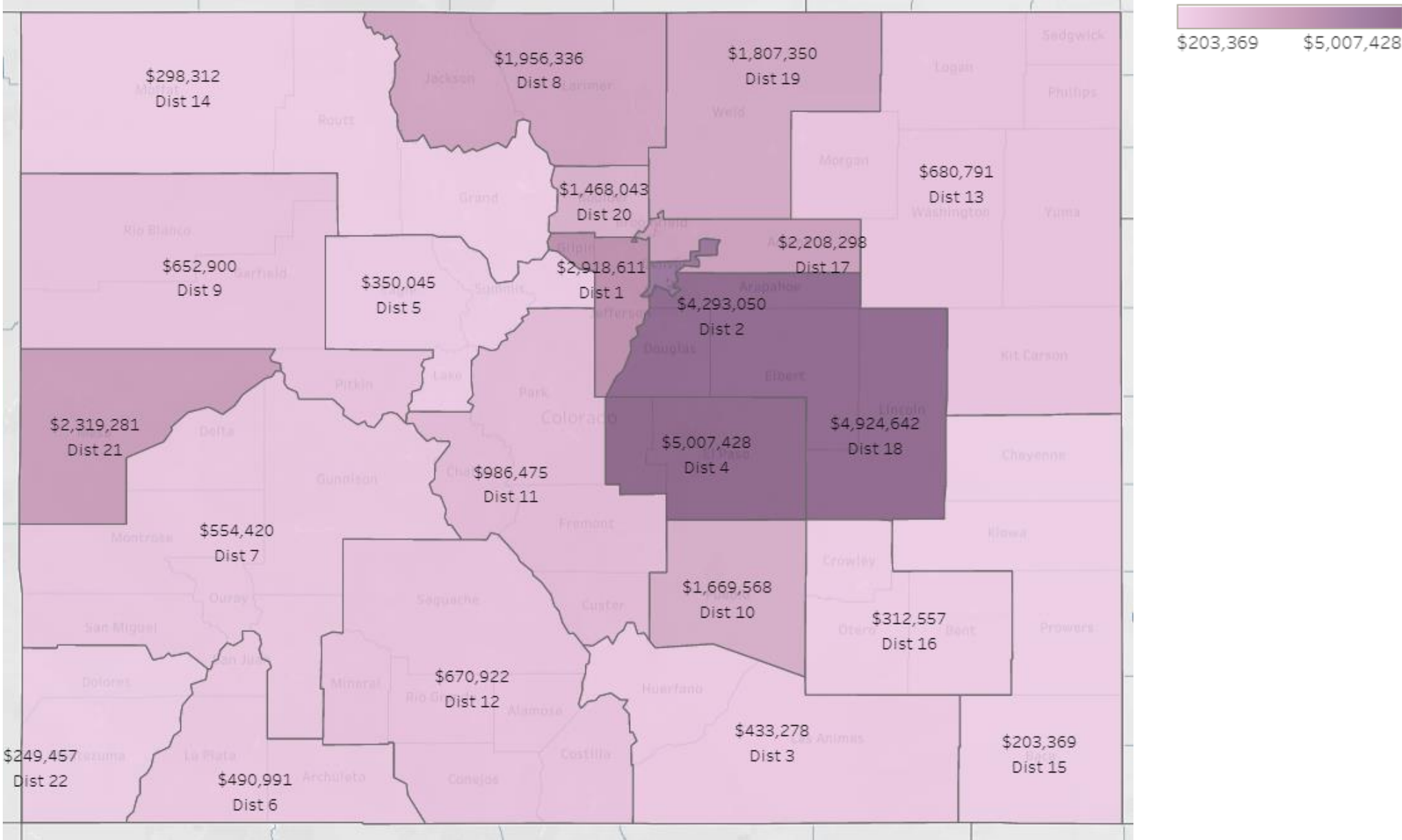
- 2021CRXX People v. XXXXX
- 2021CRXX People v. XXXXX
- 2021CRXX People v. XXXXX
- 2021CRXX People v. XXXXX
- 2021CRXX People v. XXXXX
- 2021CRXX People v. XXXXX

We have 4 attorneys on our felony ADC list so if they all are able to take a case we would still need 2 more.

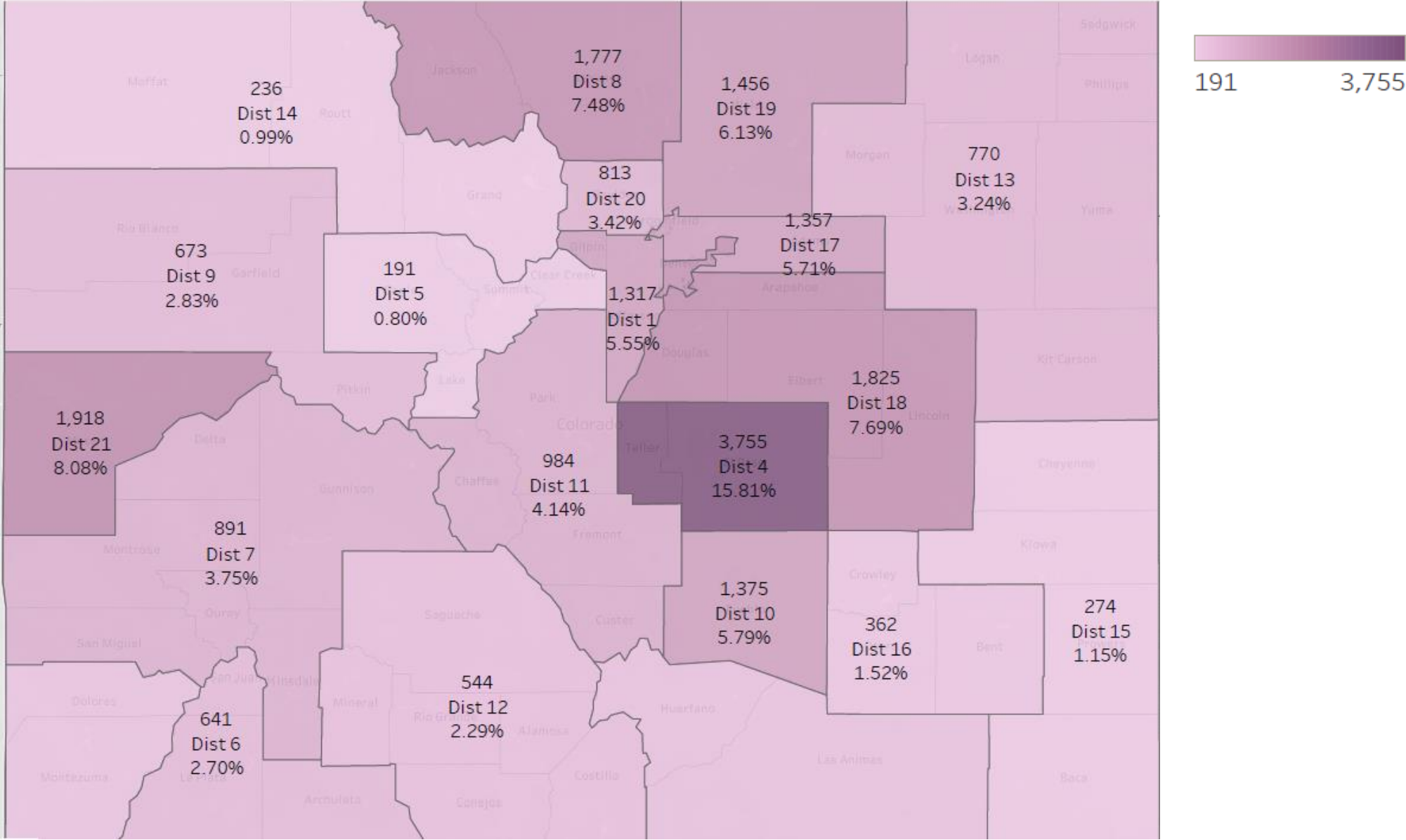
Thank you,

Heather Ortega
Court Judicial Assistant
Saguache Combined Court
501 4th Street, PO Box 197
Saguache, Co 81149
Heather.ortega@judicial.state.co.us
719-655-2522

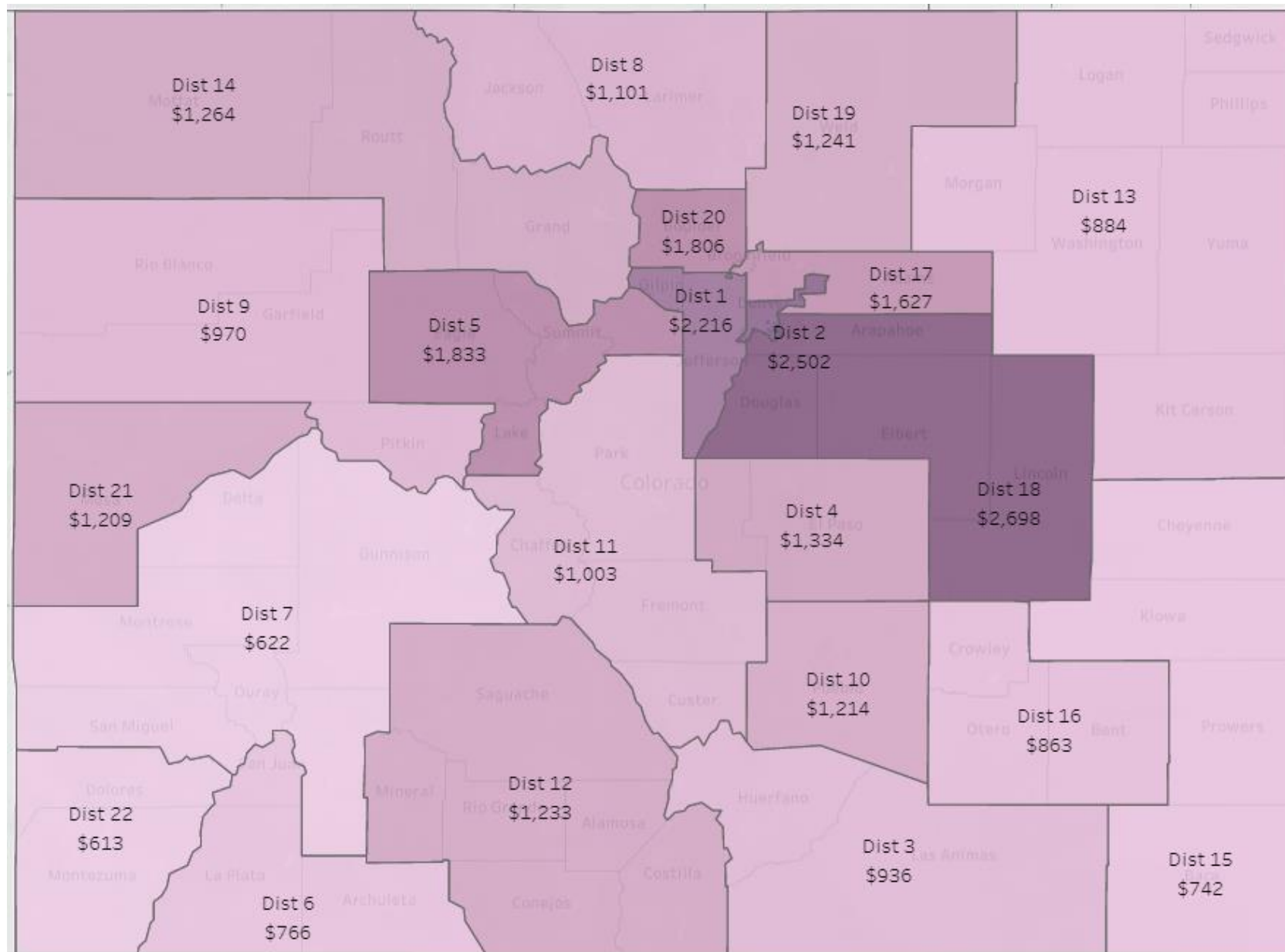
Expenditures by District Map FY21



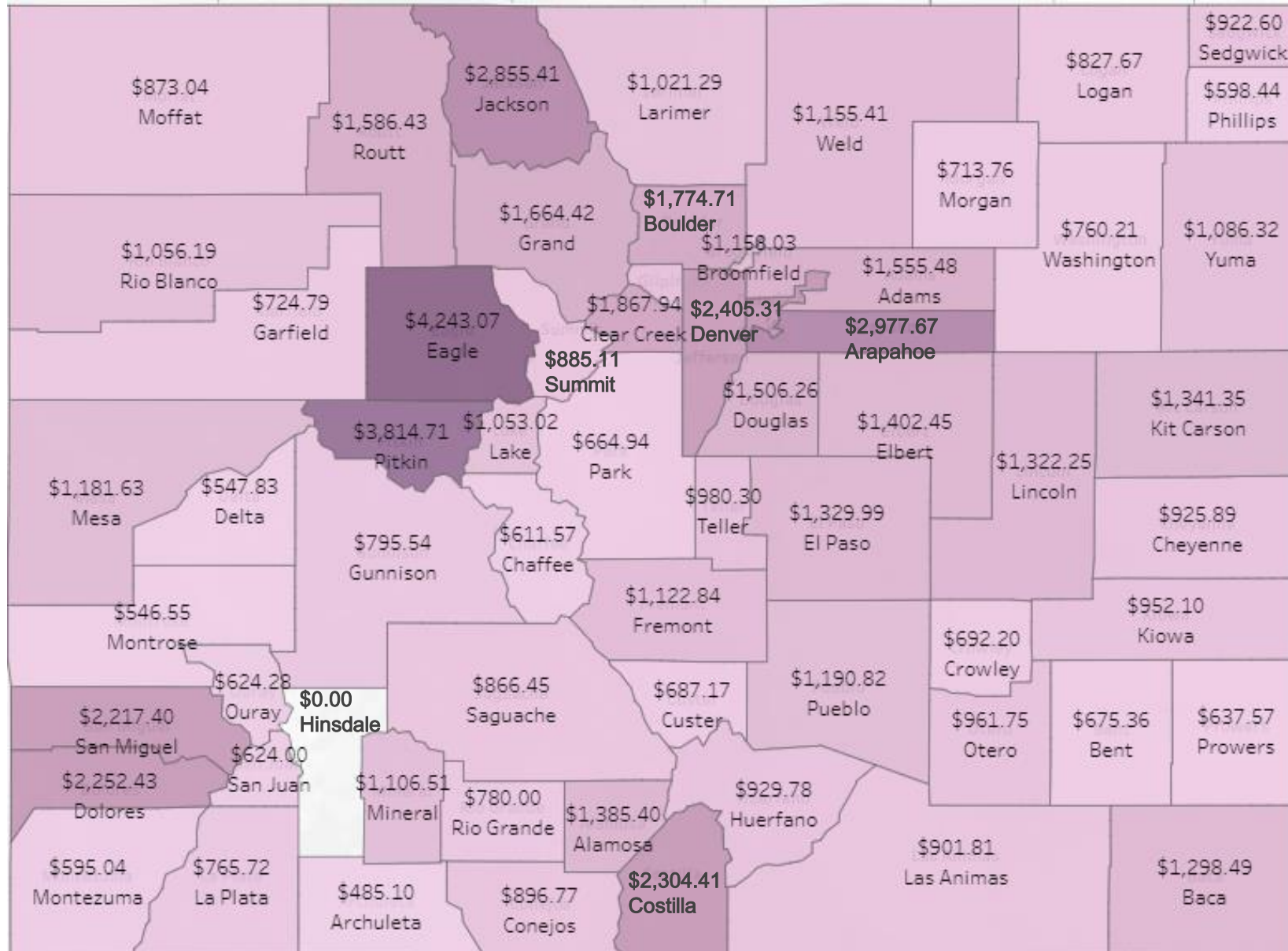
Case Count by District Map FY21



Average Cost per Case by District Map FY21



County Map - Average Cost per case by year



| | FY16 | FY17 | FY18 | FY19* | FY20 | FY21 |
|-------------------------------|----------|----------|----------|----------|----------|----------|
| Overall Average Cost per Case | \$ 1,581 | \$ 1,523 | \$ 1,456 | \$ 1,474 | \$ 1,498 | \$ 1,451 |
| <i>change from prev FY</i> | -8.2% | -3.7% | -4.4% | 1.2% | 1.6% | -3.1% |

$$(\$1,581 - \$1,451) = \$130 \times 23,746 = \$3,086,980$$

**In FY19, there was an 6.7% rate increase for attorney contractors, a 7% increase for Investigators, and a 10% increase for Paralegals, resulting in a disproportionate increase in expenditures for that year.*

FY 2022-23 Base Request of \$ 47,721,789

PLUS DI 1 – Change Request – Coordinator of Adjunct Services \$ 0

PLUS DI 2 – Change Request – Staff Accountant \$ 103,413

PLUS DI 3 – Change Request – Information Systems Director \$ 134,414

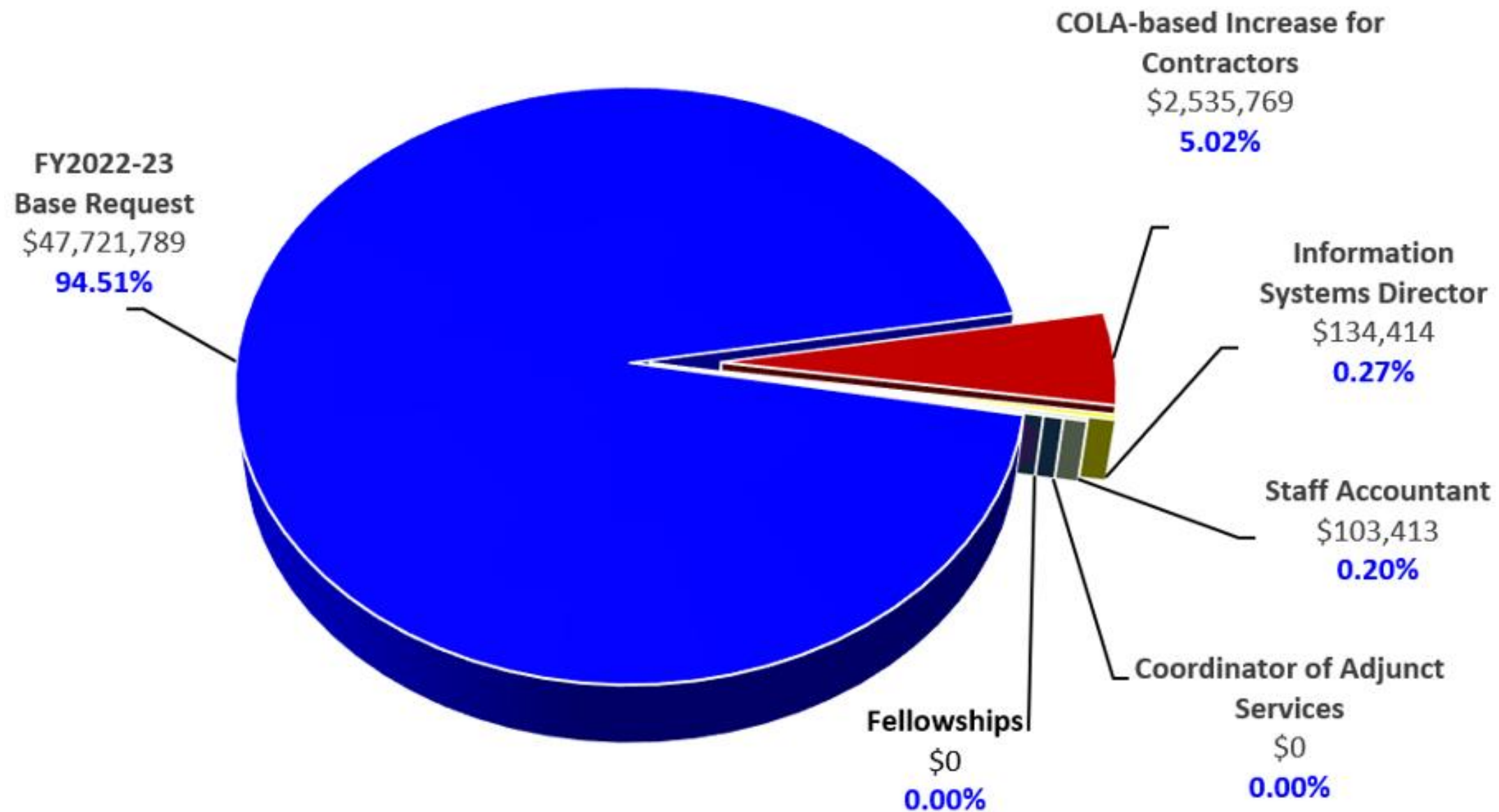
PLUS DI 4 – Change Request – COLA-based Increase for Contractors \$ 2,535,769

PLUS DI 5 – Change Request – The Greater Colorado Practitioner Fellowship \$ 0

PLUS DI 5 – Change Request – The Inclusivity Fellowship \$ 0

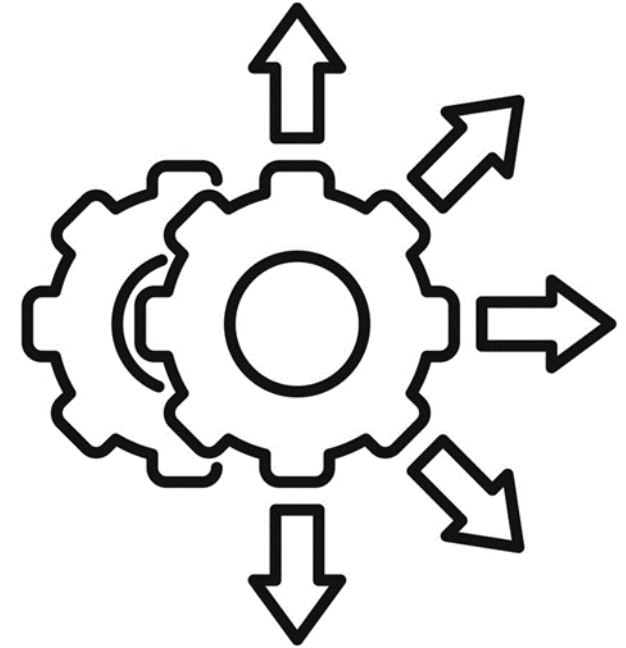
FY 2022-23 Budget Request of \$ 50,495,384

FY 2022-23 Budget Request



R-1 Coordinator of Adjunct Services

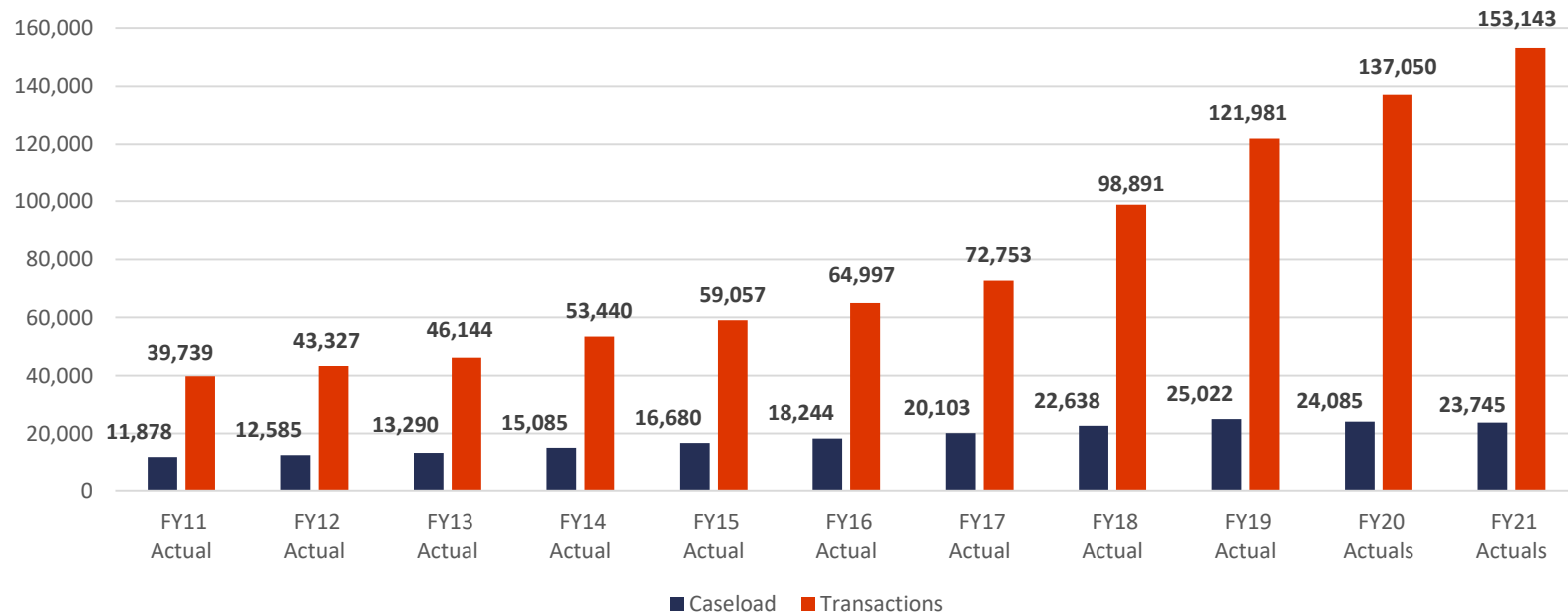
- 1.0 FTE. \$0 impact to the State's GF. Funding transferred from Conflicts of Interest LBLI.
- Assist in achieving Agency's mission of providing holistic public defense.
- Guiding contractors to adjunct services to better meet the needs of clients and their cases, while lowering billable rates and overall Agency costs.
- Conducting outreach to develop resources, particularly in rural areas.





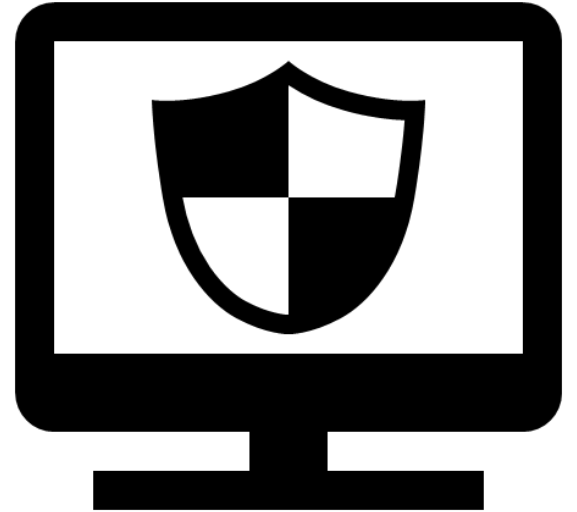
R-2 Staff Accountant

- 1.0 FTE. \$109,613 impact to the State's GF.
- Assist with procurement card tracking, travel coordination, reimbursements audits, and monthly & year-end journal entries and reconciliations



R-3 Information Systems Director

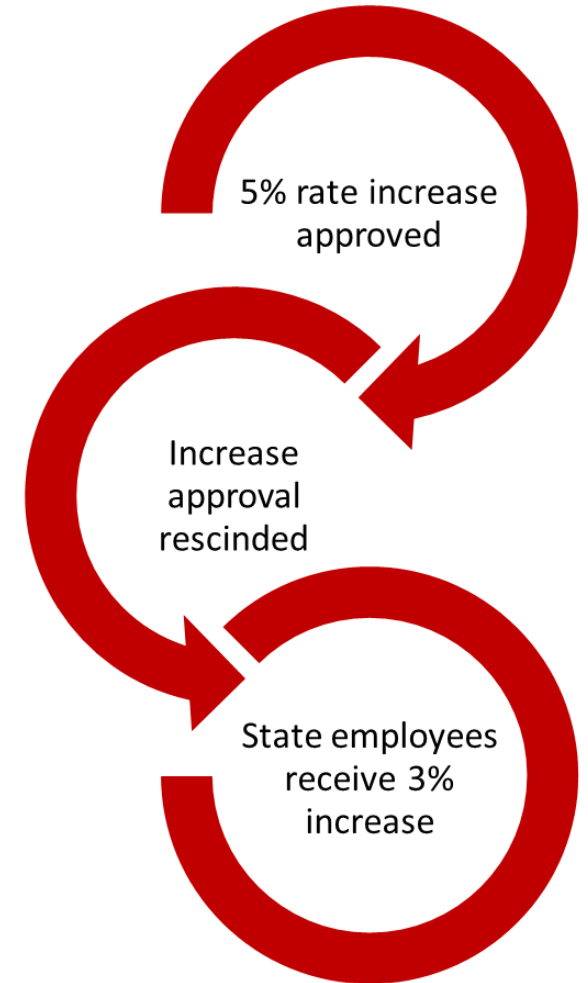
- 1.0 FTE. \$140,614 impact to the State's GF.
- Responsible for all aspects of the agency's information technology needs.
- Guide Agency's IT needs to efficient, secure, and reliable systems.
- Reducing the use and expense of an external IT contractor.



R-4 COLA-based Contractor Hourly Rate Increase

- \$2,535,769 impact to the State's GF.
- To fund a 6.0% COLA-based hourly rate increase for Agency contractors.

| Cost of Living Adjustments for State Employees | |
|--|----------|
| FISCAL YEAR | INCREASE |
| 2019-20 | 3% |
| 2020-21 | 0% |
| 2021-22 | 3% |
| TOTAL | 6% |



R-5 The Greater Colorado Practitioner Fellowship and The Inclusivity Fellowship

- 2.0 FTE. \$0 impact to the State's GF.
- Two-year fellowships.
- To address and improve representation in the legal deserts in greater Colorado.
- To address the lack of BIPOC attorneys in the agency's contractor pool.



SMART Act (HB 13-1299)

Agency Objectives and Performance Measures

- A. Ensure Adequate Contractor Rates
- B. Contain Case Costs
- C. Provide High-Quality Annual Trainings
- D. Provide Cost-Effective Research Tools and Assistance
- E. Monitor and Evaluate Contractors
- F. Strengthen Social Worker Program
- G. Strengthen Juvenile Division
- H. Implement and manage the Municipal Court Program

For historical and projected data please see **Appendix A: Agency Objectives and Performance Measures.**

Questions ?

Lindy Frolich – Director

(303) 515-6925 – lindy@coloradoadc.com

- Stacie Nelson Colling
Youth Defense Coordinator

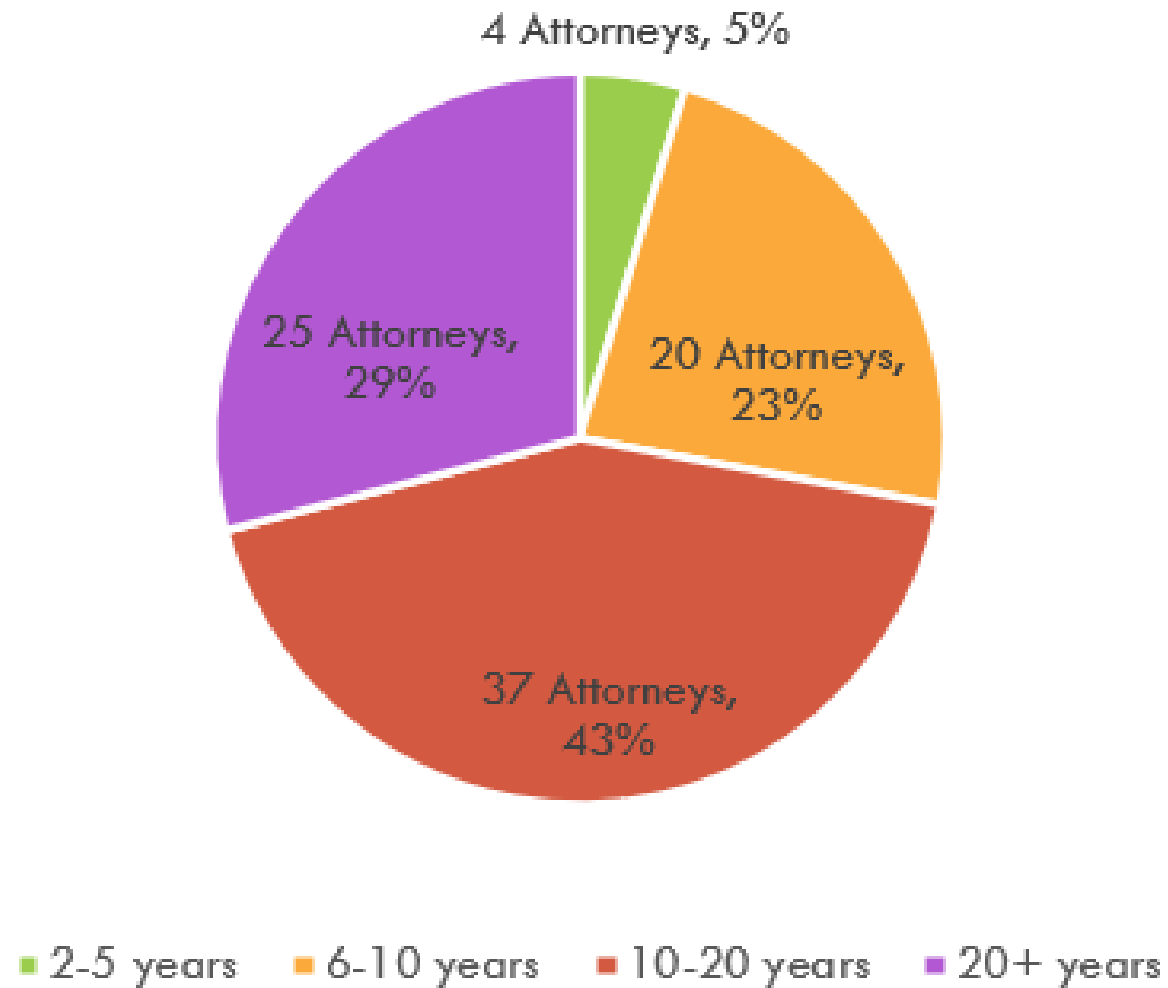
HB 14-1032 (Juvenile Defense)

§21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

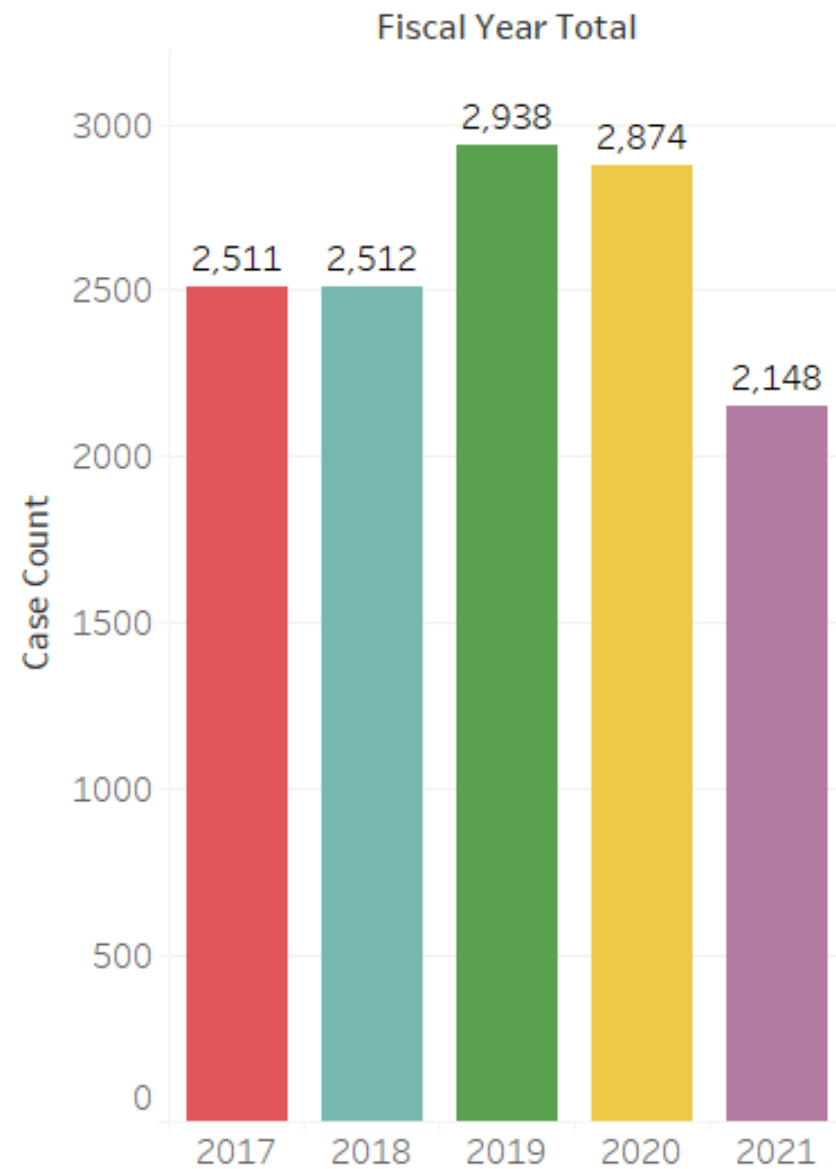
(3) Pursuant to [section 2-7-203, C.R.S.](#), the office of alternate defense counsel shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

- (a) The number of juvenile delinquency cases for which counsel from the office is appointed;
- (b) The number of juvenile cases that involve a conflict of interest;
- (c) The process of selecting, training, and supporting attorneys who represent children in juvenile delinquency court;
- (d) The average length of time attorneys are assigned to juvenile court; and
- (e) The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court.

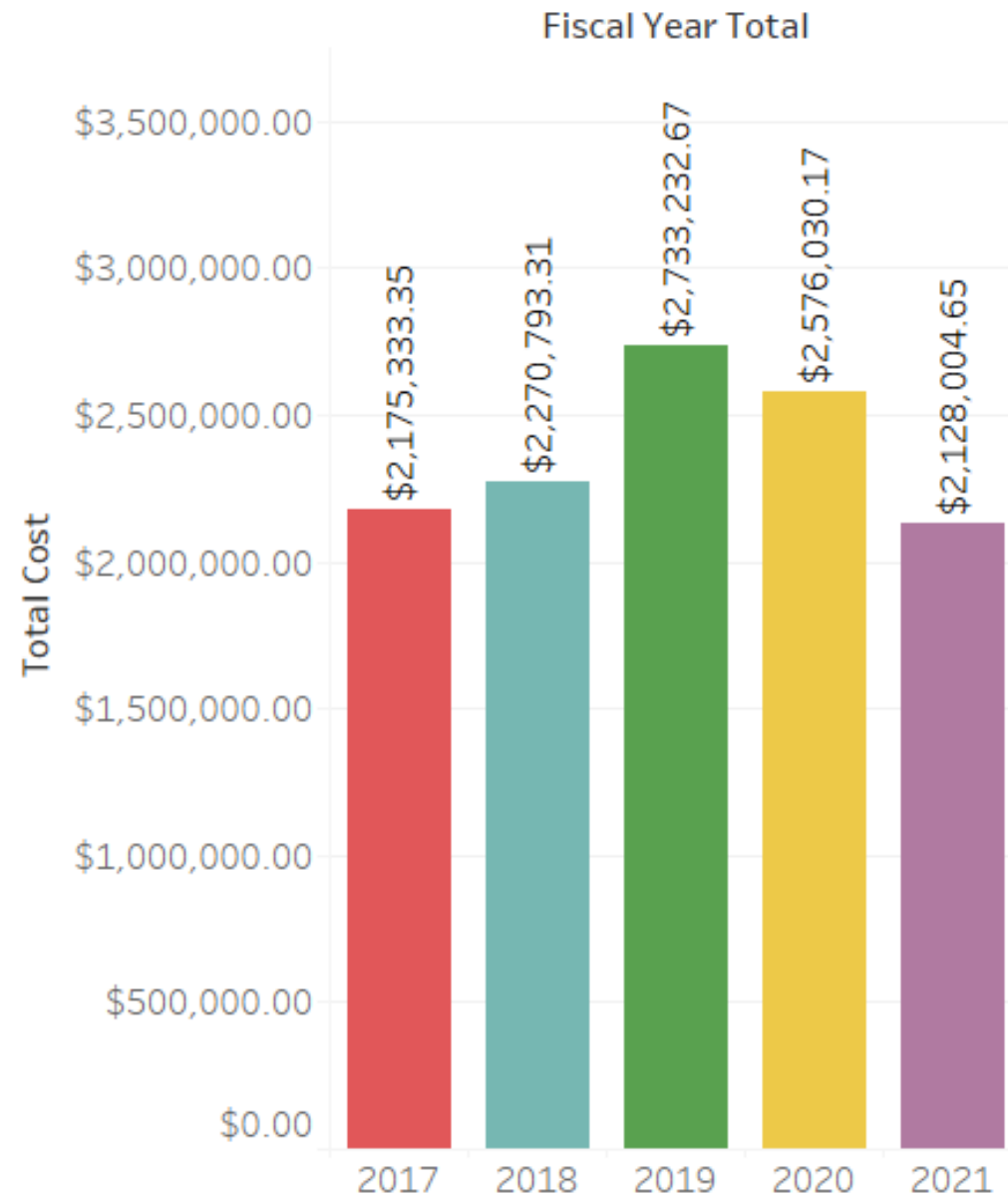
Juvenile Attorney Experience



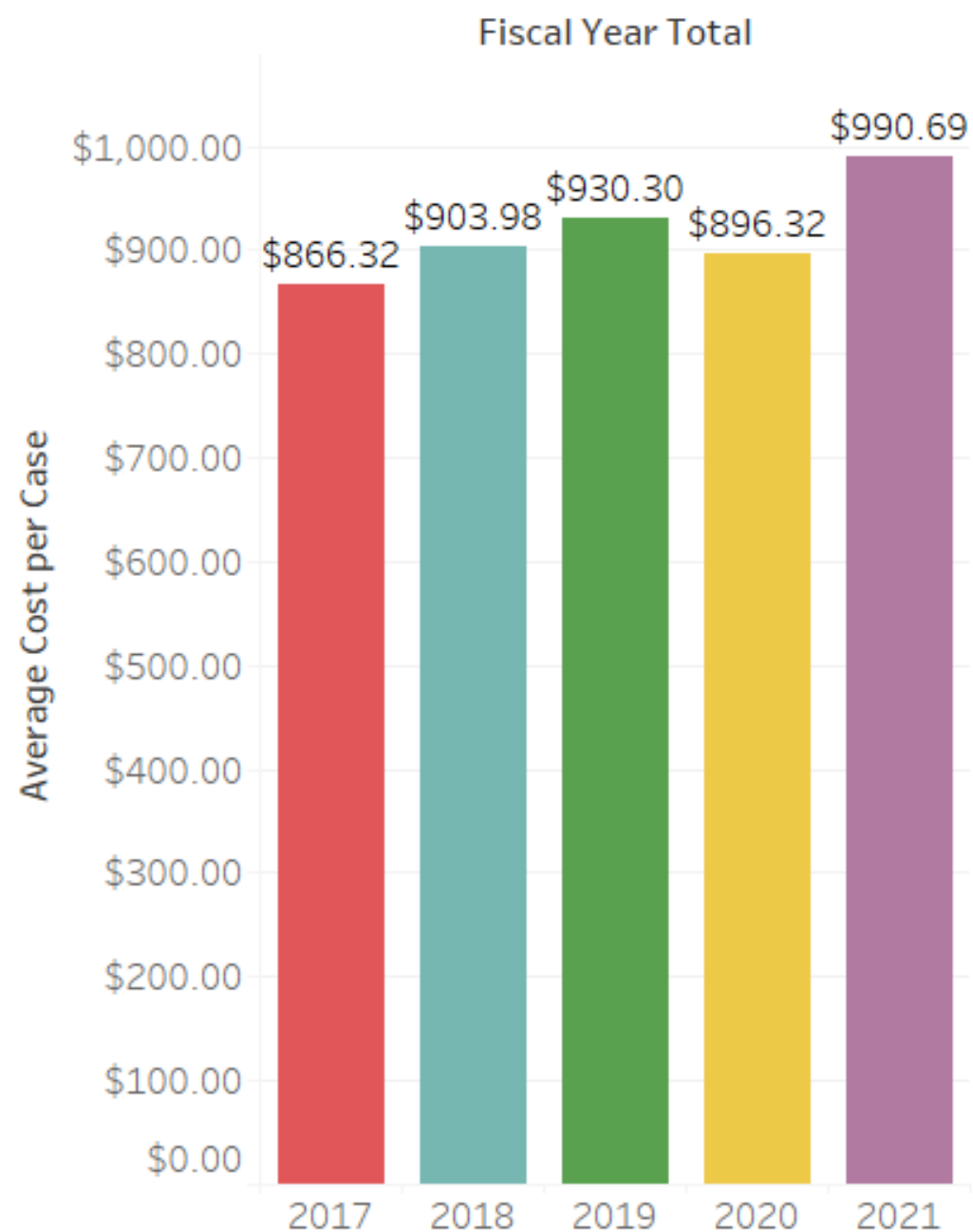
Total Juvenile Cases



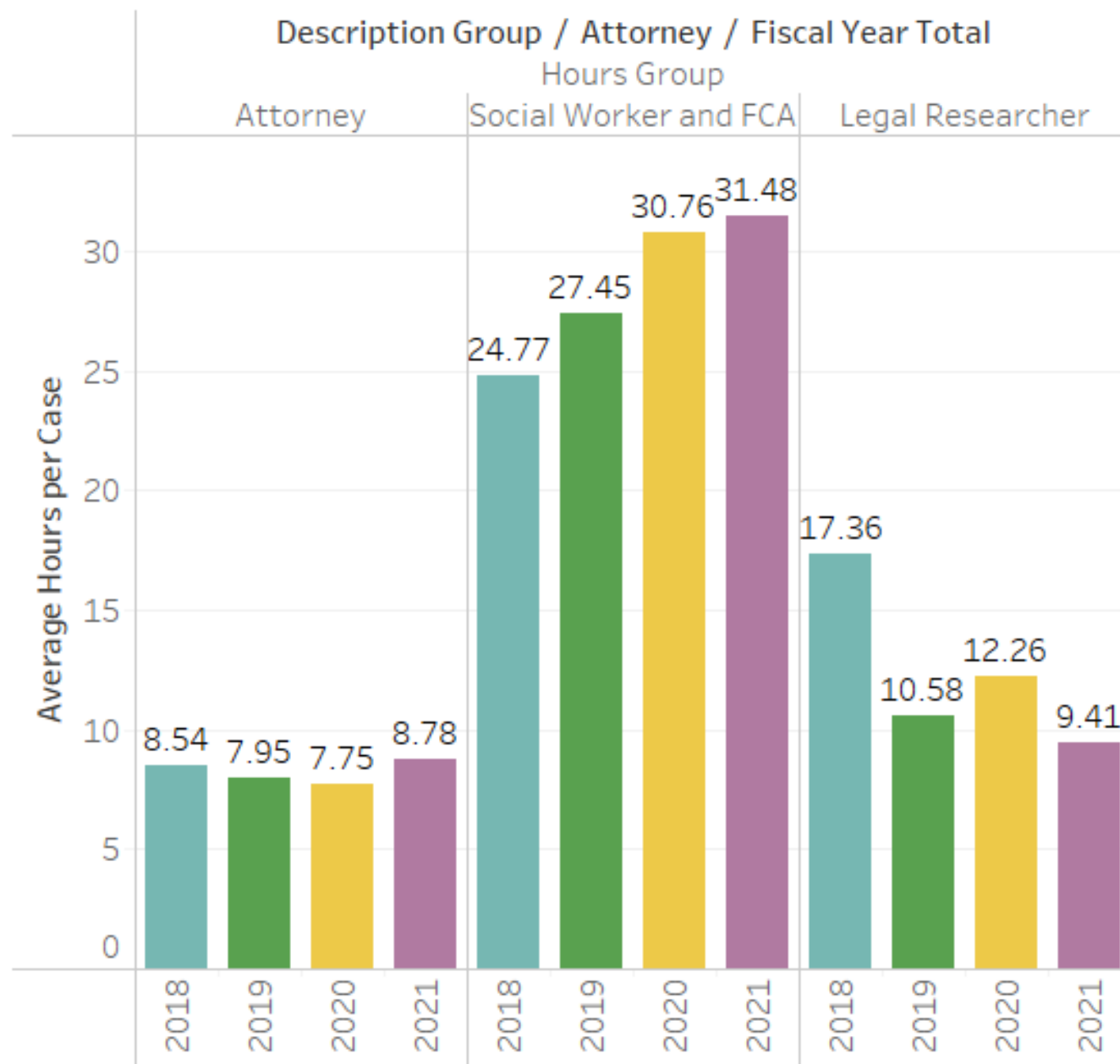
Total Cost of Juvenile Cases by Year



Average Cost per Juvenile Case by Year



Average Hours per Case by Contractor Type



Questions ?

- **Stacie Nelson Colling** – Youth Defense Coordinator
(303) 515-6933 – stacie@coloradoadc.com

- Erin Campbell
*Evaluation and Training
Coordinator*

SB 19-223 (Competency Bill)

§21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

(3) Pursuant to [section 2-7-203, C.R.S.](#), the office of alternate defense counsel shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

(f) The process of training employees and contractors concerning determinations of competency to proceed for juveniles and adults, competency evaluation reports, services to restore competency, and certification proceedings governed by Article 65 of Title 27.

Fall/Winter 2019 Competency Trainings

1) Understanding the Complexities of Competency Cases and the Juvenile Perspective (4 CLEs)

2) Changes to Competency Services in CO & Updates in the Law (2 CLEs)

- Statutory changes and law updates
- Adults vs. Juveniles
- Competency and restoration services
- Defense teams working together – holistic approach

Spring of 2020

Statewide Comprehensive Competency Trainings

- Co-Sponsored with the CO Public Defender's Office
- In-person/Webinar/Recording/Home Study CLE
- Each training was 4 hours of instruction time (5 CLE credits each) and widely attended

Road Show Comprehensive Competency Trainings (15 Stops)



Advanced Level Competency Trainings

(live in 2020)

- Two “Advanced Series” Competency Trainings

(determined by feedback from Competency Road Shows)

1) The Civil Mental Health System for Criminal Defense Teams (2 CLEs)

2) Navigating Ethical Issues When Representing Clients with Mental Illness (2 CLEs)

Goals of these trainings:

- educate on changes of competency statute and services
- practical, relevant, client-centered, promote holistic defense
- accessible to all
- access to resources

Feedback from evaluations:

“Great presentation of a very technical and complicated area of the law by an extremely knowledgeable presenter! A+”

“Very informative, engaging presentation – high impact, very beneficial to my practice.”

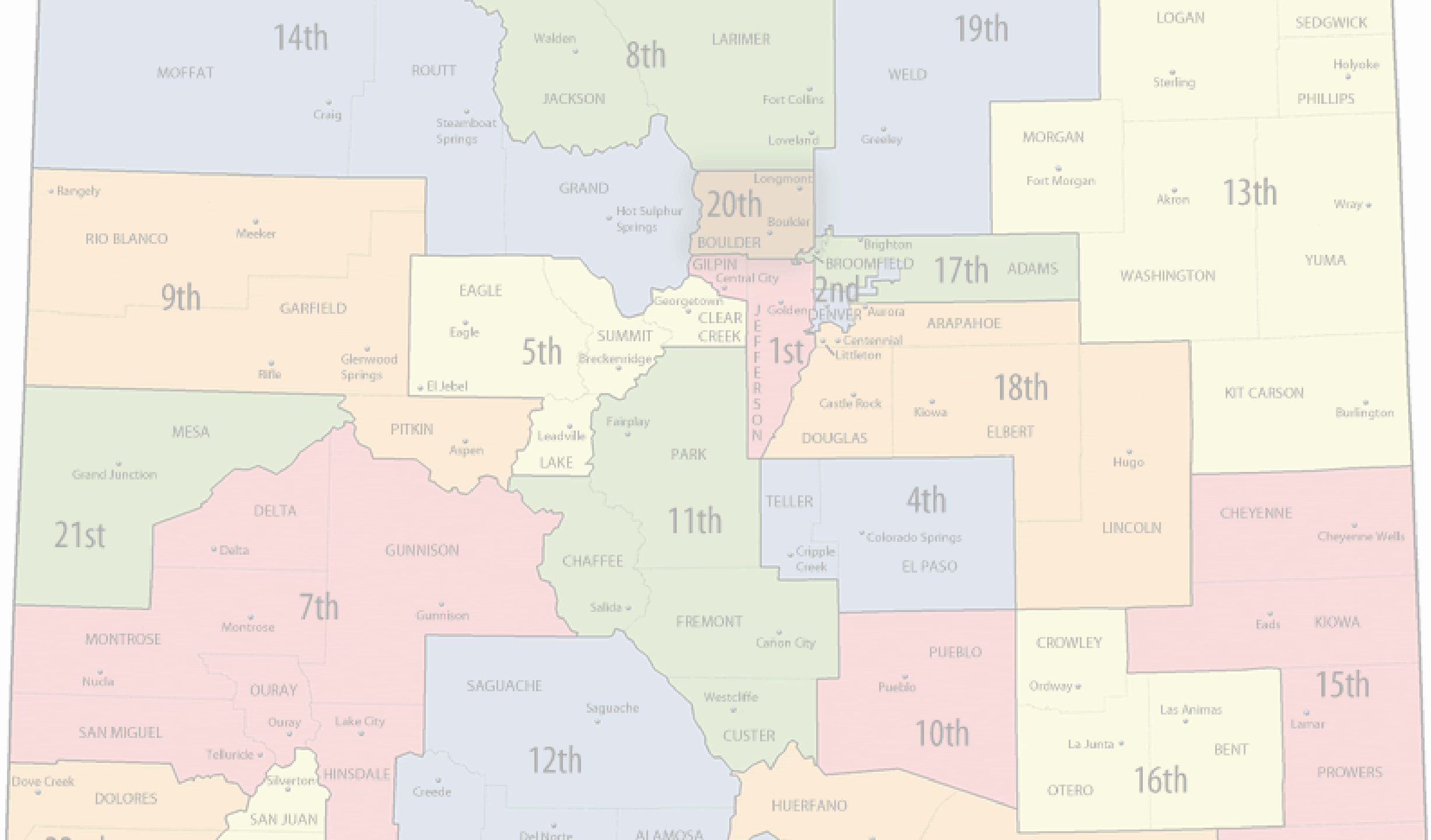
“This was one of the most interesting and helpful CLEs I have ever been to.”



- Using these trainings as on-boarding resource for new contractors
- Information still relevant and will be kept in training portal indefinitely
- Viewed online by 94 contractors for a total of 252 CLE/CPD hours
- Notify contractors about these trainings in our quarterly newsletter
- One-time funding and competency laws have not changed

Questions ?

- **Erin Campbell** – Evaluation and Training Coordinator
(303) 515-6923 – erin@coloradoadc.com



- Kimberly Simmons
Municipal Court Coordinator

SB 18-203 - Municipal Court Program: Conflict-free Representation in Municipal Courts

- Began January 1, 2020
- **MCP 2021:** 114 Attorneys, 58 Municipalities
 - 43 OADC contractors (15 of whom were evaluated for OADC contract renewal in 2021)
 - 71 non-OADC attorneys providing court-appointed counsel services
 - 59 approved attorneys
 - 17 successful evaluations
 - 7 courts had unsuccessful evaluations

SB 18-203 - Municipal Court Program: Conflict-free Representation in Municipal Courts

- New Program for 2021 and 2022
 - Contracts with Denver and Westminster (pending contract with Aurora)
- Resources for Attorneys and Municipal Courts
- 2022 Courts and Evaluations
- Approved Attorney List

Questions ?

- **Kimberly Simmons** – Municipal Court Coordinator
(303) 515-6928 – kimberly@coloradoadc.com

Contact Information

- **Lindy Frolich** – Director
(303) 515-6925 – lindy@coloradoadc.com
- **Stacie Nelson Colling** – Youth Defense Coordinator
(303) 515-6933 – stacie@coloradoadc.com
- **Erin Campbell** – Evaluation and Training Coordinator
(303) 515-6923 – erin@coloradoadc.com
- **Kimberly Simmons** – Municipal Court Coordinator
(303) 515-6928 – kimberly@coloradoadc.com